

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH, LUCKNOW

INDEX SHEET

CAUSE TITLE 7A. 1521/87of 19
G.P. NO. 423/84

Name of the parties Thakkar Din

.....Applicant.

Versus.

Union of India and othersRespondents

Part A

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2 - order sheet Factual order dt. 20-3-90	A2 to A4
3 - Petition with Annexure	A5 to A22
4 - Certificate order	A23
5 - Power	

CERTIFICATE

Certified that no further action is required to taken and that the case is fit for
consignment to the record room (Decided) *Bechak*

Date : 28/07/11

Countersigned

16/07/11
Section officer/Court officer.

Signature
Signature of the
Dealing Assistant.

CENTRAL ADMINISTRATIVE TRIBUNAL
Circuit Bench, Lucknow
Opp. Residency, Gandhi Bhawan, Lucknow

INDEX SHEET

CAUSE TITLE T.A. 1521/87 D of 19 87 D

NAME OF THE PARTIES _____

Shri Thakur di Applicant

Versus

Union of India & Respondent

Part A, B & C

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Annexure -B

CENTRAL ADMINISTRATIVE TRIBUNAL
Circuit Bench, Lucknow
Opp. Residency, Gandhi Bhawan, Lucknow

APPLICATION No. _____ of 19

TRANSFER APPLICATION No. _____ of 19

OLD WRIT PETITION No. : _____ of

CERTIFICATE

Certified that no further action is required to taken
and that the case is fit for consignment to the record room (decided).

Dated :

COUNTER SIGNED :

29-11-97

Signature of the
dealing Assistant

Section Officer/Court Officer

TA no. 1521 of 87 - 8

Thakur Din vs. NO. 9

:: 2 ::

Serial number of order and date	Brief Order, Mentioning Reference if necessary	How complied with and date of compliance
<p>6/11/89</p> <p><i>Noted for 25/1/90</i></p> <p><i>* Ellens 13/12/89</i></p>	<p>Hon^r Mr. D.K. Agrawal, J.M.</p> <p>Hon^r Mr. K. Obayya, A.M.</p> <p>None appears for the parties. This case has been received on transfer from Lucknow High Court. Notices were issued to the parties from our office at Allahabad. Let notice again be issued to the counsel for the parties fixing the case on <u>25-1-90</u> for orders.</p> <p><i>(sns)</i></p> <p><i>No sitting. Adj to 20.3.90.</i></p> <p><i>None is present.</i></p>	<p><i>OK</i></p> <p><i>This W.P. no 4231/84 received on transfer from Lucknow High Court in May 87 along with other W.Ps. On the date of transfer the case was not admitted. Transfer notices issued by the Ald office but neither any reply nor any undelivered covers received back. Submitted for orders.</i></p> <p><i>3/1/89</i></p> <p><i>or return first 13/12/89</i></p>
<p><u>20.3.1990</u></p> <p><i>28/90</i></p>	<p>Hon. Mr. D.K. Agrawal, J.M.,</p> <p>Hon. Mr. K. Obayya, A.M.</p> <p>The petitioner doesnot appear, despite of notice. Shri, S. Verma, for the respondents is present. It appears that the applicant has lost interest in perusing the matter. Therefore the writ petition is dismissed without any order as to costs.</p> <p><i>sd.</i></p>	<p><i>OK</i></p> <p><i>Notices were issued on 13/12/89.</i></p> <p><i>No unserved repd. cover has been return back.</i></p> <p><i>S.F.O.</i></p> <p><i>h 19/3/90</i></p>

CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH

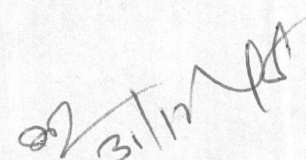
Thakur Din
-vs-

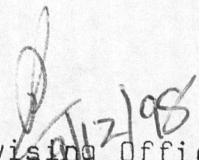
FORM OF INDEX

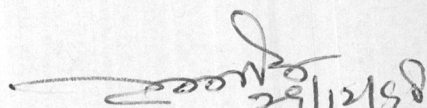
U O 9 & vs O.A./T.A./R.A./C.C.P./ No. 1521/1987 (T)
in
W P No 4231/84

PART - I


- | | | | |
|----|------------------|----|---------------------------------------|
| 1. | Index Papers | :- | 01 to 03 |
| 2. | Order Sheet | :- | 04, 6 to 8. |
| 3. | Any other orders | :- | order dt. 25/08/84 a.m.P. No. 8964/84 |
| 4. | Judgement | :- | 08 |
| 5. | S.L.P. | :- | NIL |


Dy. Registrar


Supervising Officer


Dealing Clerk

Note :- If any original document is on record - Details.


Dealing Clerk

V.K. Mishra

CIVIL
SIDE
CRIMINAL

(Chapter XLI, Rules 2, 9 and 15)

Nature and number of case

L.R. No. 11231-84

Name of parties

Thallum Devi vs. Union of India

Date of institution

25-8-84.

Date of decision

File no.	Serial no. of paper	Description of paper	Number of sheets	Court-fee		Date of admission of paper to record	Condition of document	Remarks including date of destruction of paper, if any
				Number of stamps	Value			
1	2	3	4	5	6	7	8	9
					Rs. P.			
	1	W. with Amma. And affidavit	17	-	102.00			
	2	bon	1	-	5.00			
	3	cm 896919 of 81.	2	-	5.00			
	4	bon	1	-	5.00			
	5	certified	1	-	-			
	6	Bureau	1	-	-			

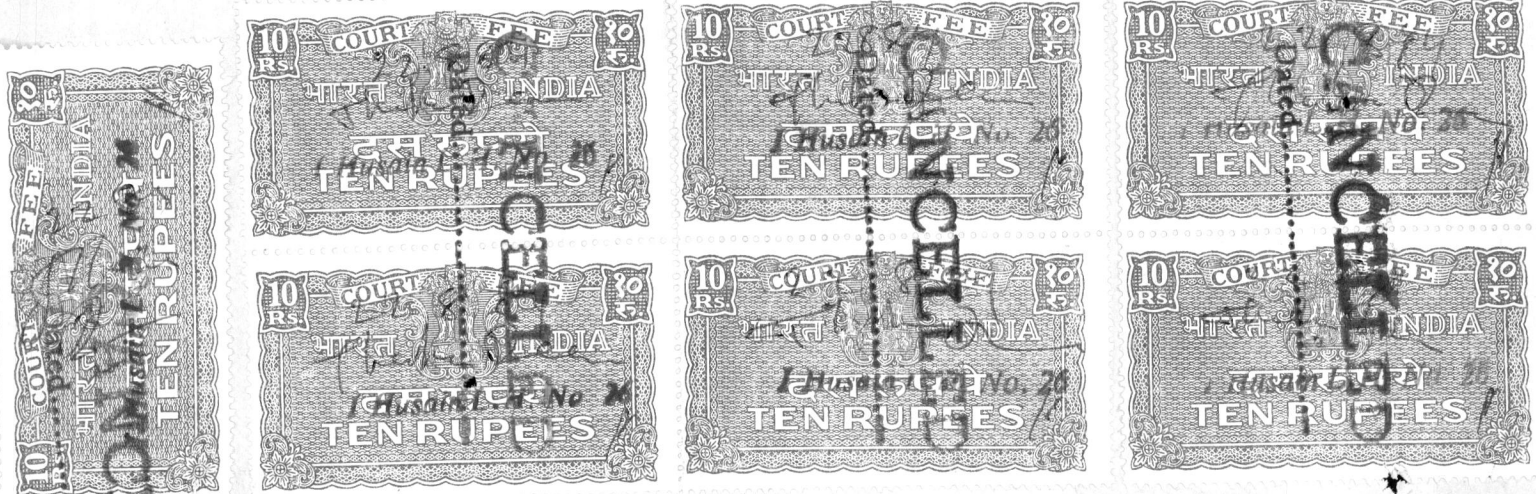
I have this _____ day of _____ 197 , examined the record and compared the entries this sheet with the papers on the record. I have made all necessary corrections and certify that the paper corresponds with the general index, that they bear Court Fee Stamps of the aggregate value of Rs. _____, that all orders have been carried out, and that the record is complete and in order up to the date of the certificate.

Date _____

Munsarim
Clerk

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD

(LUCKNOW BENCH) LUCKNOW



In Re:
Writ Petition No. 4231 of 1984
(Distt. Lucknow)

1082/1001
2/4/84

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Thakur Din aged about 44 years son of late Shri Jhingur,
resident of c/o Sri Raj Bahadur, Quarter No. T-45/A,
Fateh Ali Talab, Northern Railway, Charbagh, Lucknow

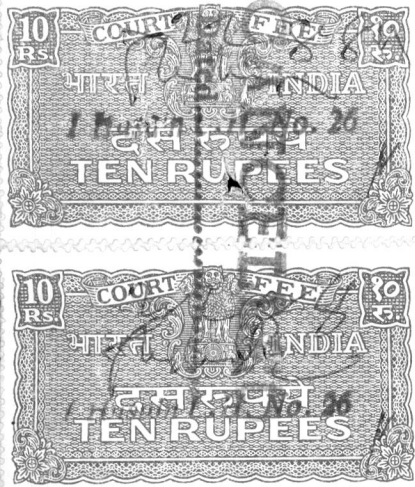
.. .. PETITIONER

versus

1. Union of India, through General Manager, Northern Railway, Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway, Hazratganj, Lucknow.
3. Senior Divisional Personal Officer (II), Northern Railway, Haz-ratganj, Lucknow
4. Radhey Lal (Major) son of not known resident of 'Clo' S.D.P.O. (N.R.) Hazratganj Lucknow.
5. Smt. Asian Horo alias Smt. Madan Mohan Nigam (Major) wife of Shri Madan Mohan Nigam at present residing at 445-L, New Loco Colony, Varanasi OPP. PARTIES

Thakur Deen

.../-



4/2

14

Impressed
See Adhesive 62.100/-
Total

Correct but final Court for report
will be made on receipt of lower

Cost record.

In time up to

Examine final Copy of P. O.

to be made

4/2 - 2000.

Sup. Court's request
sent by Dmt 3 21-7-84.

Indonko
2/8/84

Hon. UCS J
Hon. KNS J

Issue notice to the
opposite party to show
cause why the writ
petition be not admitted.

la
25/01/04
la

C. M. S. App No 8964 (w) - 84 (18) 33

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD
(LUCKNOW BENCH) LUCKNOW



10/12/84
25/12/84

In Re: 4231
Writ Petition No. of 1984

(Distt. Lucknow)

Thakur Din Aged about 44 years son of late Sri
Jhingur, resident of c/o Sri Raj Bahadur, Quarter
No. T-45/A, Fateh Ali Talab, N. Railway, Charbagh,
Lucknow PETITIONER

versus

1. Union of India, through General Manager,
Northern Railway, Baroda House, New Delhi
2. Divisional Railway Manager, Northern Railway,
Hazratganj, Lucknow
3. Senior Divisional Personal/ Officer (II),
Northern Railway, Hazratganj, Lucknow.
4. Radhey Lal (Major) son of not known resident
of.
5. Smt. Asian Horo alias Smt. Madan Mohan Nigam (Major)
wife of Shri Madan Mohan Nigam at present residing
at 445-L, New Loco Colony, Varanasi

.. OPP. PARTIES

STAY APPLICATION

Thakur Din

.../-

(14)

Hon. Ues J
Hon. K N G. J

Issue notice. The
petitioner's Counsel undertake
to serve opposite parties
2 to 5 out of Court
for which purpose office
shall issue dasti summonses
list on 3. 9. 04. Any
appointment made ^{in the meantime} shall be
subject to further orders
of this Court.

20/01/04

ORDER SHEET

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

W-P.

No.

4231

of 198

84.

vs.

Date	Note of progress of proceedings and routine orders	Dated of which case is adjourned
1	2	3
25-8-84.	<p>Item v C.S.,</p> <p>Item K-N-G,</p> <p>Issue notice to the</p> <p>opp. parties</p> <p>he not admitted.</p> <p>Sd. U-C-S</p> <p>Sd. K-N-G</p> <p>25-8-84.</p> <p>Cm. Ann O 8969 @ 84</p>	
25-8-84.	<p>Item v C.S.,</p> <p>Item K-N-G,</p> <p>Issue notice to the</p> <p>petitioners</p> <p>Wt on 3-9-84 -</p> <p>this Court</p> <p>Sd. U-C-S</p> <p>Sd. K-N-G</p> <p>25-8-84.</p> <p>3. 9. 84</p> <p>fo</p> <p>Shoo Cause</p> <p>Byd</p> <p>Hud</p> <p>3/9/84</p>	

Date	Note of progress of proceedings and routine orders	Dated which case is adjourned
1	17.10.84 file for attendance for filing a case against M.A. No. 896 of 1984.	3
2	N.B. 2005.275 by Datt. 14.9.84	2
21.3.85	Service Report of 14.4. Notices handed over to the counsel off. Petitioner for personal service on off. but he has not filed affidavit of service before the court etc. has been filed on 14.4.85. Power filed by Sri Siddhant Verma, Adv.	21/3
9-4-85	At Regn. Offs 2 and 3 are reported to be represented by their counsel. Since no affidavit of service on off. has been filed. Bringing this fact to the notice of the court.	9.4.85

A
S
6299

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD
(Lucknow Bench, Lucknow.)

12004

In re:
Writ Petition No. 4231 of 1984

Thakur Din ***** Petitioner
Versus
Union of India and others ----- Opp. parties

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5.	Affidavit ***	16 & 17
6.	Application for stay ***	18 & 19
7.	Power ***	20.

Lucknow-dated
Aug. 22, 1984

23

A. N. Thivedi
(A. N. THIVEDI)
Advocate
Counsel for the petitioner

BEFORE THE HON'BLE CHIEF JUSTICE AND HIS CAMPAIGN JUDGES OF
THE HON'BLE HIGH COURT, ALLAHABAD SITTING AT LUCKNOW

The humble petitioner submits as under:-

1. That on 9th August 1963, the petitioner was appointed as a Khalasi under the control of the Opposite Parties No. 1 to 3 and he was at Sl. No. 231 SC in the scale of Rs 70-85 and while performing his duties with the Railway Administration there was a serious accident in which the left arm of the petitioner was badly injured and ultimately the same was removed and considering the said accident and the excellent performance of the duties of the petitioner the Railway Administration i.e. the Opposite Parties No. 1 to 3 appointed the petitioner as a Peon in the Telephone Exchange.
2. That thereafter there was an examination for the post of Telephone Operator in which the petitioner participated and a panel was formed in which the petitioner was placed at Sl. No. 3, and with effect from 28th March 1974 he was appointed as Telephone Operator in the scale of Rs 110-180 and with effect from 2.2.77 he was promoted on the post of Senior Telephone Operator under the direct control of the Opposite Parties No. 1 to 3 in the scale of Rs 330-560.
3. That the service record of the petitioner is unblemished and due to his excellent work, he was promoted as Head Telephone Operator with effect from 31.8.1978 in the scale of Rs 425-700. It may be important to mention here that this excellent work had been performed by the petitioner inspite of the fact that he is physically handicapped person without having left arm.



Shakurdeen

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4. That the petitioner is a scheduled caste and in May 1974 there was a serious agitation in the Railways in which the petitioner without caring his danger of life served the Railway Administration though he received several threats of dire consequences from the anti-social elements and from the agitators and the Railway Administration appreciated the courageous duties which had been performed by the petitioner and the Opposite Party No. 2 had rewarded the petitioner with a cash of Rs 100/-.
5. That the Opposite Party No. 5 directly recruited as Telephone Operator in the year 1978 and then she was promoted as Senior Telephone Operator in the grade of Rs 330-560 sometimes in the year 1981.
6. That the Opposite Party No. 5 [✓] as stated above has been appointed as Telephone Operator in 1978 by falsely showing that she belongs to ~~Scheduled Caste~~ ^{Tribe} category while the fact is that she has forged the matter and manipulated the affairs. She is not a ~~Scheduled Caste~~ ^{Tribe} but she was a Christian previously and now after conversion she has been married to a higher caste Hindu family and her husband Shri Madan Mohan Nigam is a 'Kayasth' and by this way the Opposite Party No. 5, if she was at all Scheduled Tribe, ^{Tribe} (if it is taken to be correct for argument sake) then even after marriage she lost her claim of the Scheduled Tribe since it is a universal fact that the wife takes the domicile of her husband.
7. That the petitioner was called for the post of Chief Telephone Operator in the grade of 550-750 first time in the year 1982 and again in 1983 but he was not



Thakur Deen

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taken. Then the petitioner made appeals and representations to the Divisional Railway Manager through his various letters and representations but no ~~written~~ reply has been communicated to the petitioner. It may be important to mention ~~here~~ that the petitioner never received any adverse entry or any thing in his service record at any time.

8. That Shri Radhey Lal, Opposite Party No. 4 is also a Scheduled Caste candidate but he is much junior to the petitioner and is working as Senior Telephone operator in the Grade of Rs 330-560 and the next higher post for Opposite Party No. 4 and 5 is the Head Telephone Operator in the grade of Rs 425-700 in which the petitioner is working and the another next post is the Chief Telephone Operator above the Head Telephone Operator in the grade of Rs 550-750.
9. That the post of Chief Telephone Operator is a Selection Post and the Opposite Parties No. 1 to 3 have now got 5 posts out of which one post is reserved for Scheduled Caste and one post is reserved for Scheduled Tribe.
10. That the petitioner has been informed by his officers orally that if any Scheduled Caste candidate is not available then that reservation shall go to general category and in case any Scheduled Tribe candidate is not available then the same shall go to the Scheduled Caste category.
11. That the present post, though it is to be filled in by selection but since the Opposite Parties No. 1 to 3 have decided to fill the same amongst the senior most

Thakurdeen

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persons so in the que of Scheduled Caste the petitioner is the senior-most candidate and he is liable to be placed in the panel.

12. That since a long the petitioner was hearing that instead of giving promotion on the post of Chief Telephone Operator the Opposite Party No. 4 and 5 were manipulating the affairs so that the petitioner may not get the senior post and the Opposite Parties No. 4 and 5 may cross the petitioner in the seniority. On hearing the same, the petitioner represented the matter but uptil now he has not received any communication.
13. That the petitioner also reliably learnt that in the years 1982 and 1983 he was selected for the post of Chief Telephone Operator but he has not been given promotion because of the reasons best known to the Opposite Parties No. 1 to 3 for which the petitioner has represented the matter and the photostat copies of his representations ~~to~~ are filed herewith as Annexure No. I and II to this writ petition.
14. That though the petitioner is a physically handicapped person but instead of showing him sympathy the Opposite Parties have colluded with each other and have not placed the name of the petitioner on the panel. It may be important to mention here ~~that~~ again that the petitioner is a handicapped person having no left arm which was lost in the service of Railway Administration.
15. That on 21.8.84 the petitioner came to know that a penal has been formed and name of three persons in order of seniority have been placed on the penal for the post of Chief Telephone Operator. A true and typed

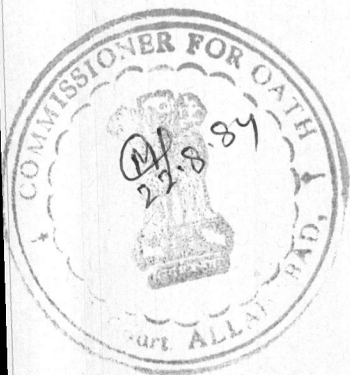


Shakur Deen

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copy of the same is filed herewith as Annexure III to this writ petition.

- 16- That it may be important to mention here that the next higher post to the post of presently the Opp. Parties No. 4 and 5 are holding is the post of Head Telephone Operator in the grade of Rs 425-700 in which the petitioner is presently working. So a perusal of Annexure-III shall indicate that it has wrongly been mentioned that in order of seniority the Opposite Parties No. 4 and 5 have been placed on the penal.
17. That the petitioner has reliably learnt that the Opposite Parties No. 1 to 3 are going to finalise the penal and post the persons mentioned in the penal on 24.8.84, hence the necessity arose for filing of this writ petition.
18. That it is manifest that the petitioner is the senior most and opposite parties No. 4 and 5 have wrongly been held as senior to the petitioner though they are working one grade below to the petitioner and as such the impugned order contained in Annexure-III is perverse in law and facts both, bad in the eye of law, without jurisdiction and is liable to be set-aside with costs.
19. That the Opposite ~~Parties~~ Party No. 5 has falsely obtained the appointment showing wrong certificates on the post of Telephone Operator in 1978 and on a Scheduled Tribe Quota and she has again been promoted on the false ground of Scheduled Tribe Quota on the post of Senior Telephone Operator and since the Opposite Party No. 5 was never the Scheduled Tribe



Thakur Deen

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before her marriage and at the time of joining the service nor at this moment, hence she is holding the post without any authority and without any legal right, hence the writ of co-warranto is liable to be issued to her.

20. That the petitioner has been advised to state that only Hindus are divided into the castes, sub-castes, tribes and Scheduled Tribes and sub-Scheduled Castes. So a Christian can not become a Scheduled Tribe. Christians are religiously divided into two sects - Catholics and Protestants. Hence, the Opposite Party No. 5 has got no right to be retained in the service even.



21. That in view of the facts stated above the impugned order containing the name of the Opposite Party No. 4 and 5 is liable to be struck off and a writ of co-warranto is liable to be issued against the Opposite Party No. 5 on the grounds inter-alia.

GROUND S

- (i) BECAUSE the representation of the petitioner has not been decided so far which is contained in Annexure-I and 2 to this writ petition and in case they would have been decided then the petitioner must have been placed on the post of Chief Telephone Operator from 1982.
- (ii) BECAUSE the petitioner is working in the grade of Rs 425-700 on the post of Head Telephone Operator while the Opposite Parties No. 4 and 5 are working on the post of Senior Telephone Operator in the scale of Rs 330-560 which is one grade below to the post of presently held

Thakurdeen

by the petitioner and the Opposite Parties No. 4 and 5 Senior Telephone Operator. Yet the petitioner is the Head Telephone Operator. So placing the Opposite Parties No. 4 and 5 on the said penal on the ~~penal~~ basis of seniority is highly discriminatory, bad in the eye of law without jurisdiction and is liable to be satisfied with costs.

- (iii) BECAUSE the Opposite Party No. 4 5 was previously a Christian and she forged the matter and obtained post of Telephone Operator then on the ~~basis~~ post of Senior Telephone Operator falsely claiming that she was a Scheduled Tribe while she was not a Scheduled Tribe and now she has been married to a higher caste hindy with Mr. Madan Mohan Nigam, hence she can not be placed on the penal in the quota of Scheduled Tribe.
- (iv) BECAUSE the Opposite Party No. 5 has obtained her appointment by playing fraud, hence a writ of co-warranto is liable to be issued to her.
- (v) BECAUSE since the Opposite Party No. 5 is not a scheduled Tribe on the two grounds mentioned above then the Quota of Scheduled Tribe easily be placed for Scheduled Caste and in not doing so the Opposite Parties No. 1 to 3 have committed manifest error or Law.
- (vi) BECAUSE From Annexure-I the name of the Opposite Parties 4 and 5 are liable to be struck-down and a mandamus is liable to be issued to the Opposite Parties 1 to 3 to place the petitioner in the said penal on the basis of seniority.

Thakur Deen

WHEREFORE, it is prayed that this Hon'ble Court may kindly be pleased to issue :

(i) a suitable order, direction or writ in the nature of mandamus commanding the opposite parties No. 1 to 3 to decide the representations of the petitioner contained in Annexure-I and II to this Writ Petition.

(ii) to issue suitable order, direction or writ in the nature of certiorari quashing the name of the opposite parties No. 4 and 5 from Annexure-III which have been placed on the basis of seniority.

(iii) to issue suitable order, direction or writ in the nature of co-warranto to the Opposite Parties No. 5 to show under what authority she is continuing the service on the Scheduled Tribe Quota and removing her from the service.

(iv) to issue a suitable order, direction or writ in the nature of mandamus commanding the opposite parties No. 1 to 3 declare the result of the petitioner for the examination held in 1982 and 1983 as well.

(v) to issue any other suitable order, direction or writ which this Hon'ble Court may deem fit just and proper in the facts and circumstances of the case and for protecting the interest of the petitioner.

(vi) That the cost of the Writ may be awarded to the petitioner and against the Opp. Parties. That since the matter is urgent so 14 days notice may kindly be waived.

Lucknow-dated
Aug. 22, 1984

A. N. Trivedi
(A. N. TRIVEDI)
Advocate
Counsel for the petitioner

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IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD
(LUCKNOW BENCH) LUCKNOW

In Re:
Writ Petition No. of 1984

Thakur Din Petitioner

versus

Union of India and others Opp. Parties

ANNEXURE No. I



Thakur Din

A/15

11

2/6

सेवा में,

श्रीमान रम मन्थन प्रबन्धक,
उत्तर रेलवे,
मन्थन ।

विषय : परिष्कृत रूप सुची के बाजार पर पदोन्नति- प्रार्थना-पत्र

महोदय जी,

सेवा में अविलम्ब निवेदन है कि प्राचीन टेलीफोन बापरेटर पद पर मैंने दिनांक 28-3-74 से मुगलसराय में कार्य करना शरम्भ किया तथा दिनांक 2-2-77 को सीनियर बापरेटर केन मान [930-960] के पद के लिए मुगलसराय में ही नियुक्त किया गया ।

दिनांक 31-8-78 में मुझे जून टेलीफोन बापरेटर के लिए पदोन्नति किया गया जिसका केन रू 425 - 700 है । मई सन् 1974 में एक अग्रिम रेल कार्य रूप शान्दोलन ठिठा जिसमें मैंने अपने बापरेटर के बाबानुसार जान की परवाह न करते हुए रेलवे जी सेवा की जिस पर मेरे बापरेटर [डीएसओ] ने मुझे रू 100/- के पुरस्कार से सम्मानित किया ।

मैं अनुसूचित जाति का कर्मचारी हूँ और मैं जून बापरेटर की सीनियरिटी लिस्ट [परिष्कृत रूप सुची] में सबसे सीनियर हूँ ।

उपरोक्त तथ्यों के बाजार पर जून बापरेटर से उच्च पद पर पदासीन होने का दावा मेरा जस्ता है ।

नतः श्रीमान जी से प्रार्थना है कि मेरे प्रार्थना पत्र पर विचार करके मेरा उचित हक देने की कृपा करें ताकि न्याय हो नये और किसी को किसी प्रकार की हानि न उठानी पड़े । यदि यह भी पता जाता है कि टेलीफोन बापरेटर केन मान 850-750 में अभी भी रुमान रिक है ।

धार्मी,

ठाकुर देव

दिनांक: 21-6-1984 ।

ठाकुर देव
जून सीनियर बापरेटर,
उ० र०, मुगलसराय ।

प्रतिनिधि :-

सीनियर डी० पी० डी० एन० रेलवे, मन्थन को उचित कार्यवाही में सम्पादन बाधे के द्वारा ।



Thakur Dev

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(12) 2/2

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD
(LUCKNOW BENCH) LUCKNOW

In Re:

Writ Petition No. of 1984

Thakur Din.. .. Petitioner

versus

Union of India and others Opp. Parties

ANNEXURE-II



Thakur Deen

महोदय,

रतन लाल शर्मा
जीपाद मजदूर संघीकरण,

उत्तर रेल्वे,

लखनऊ

विषय: सी.एन.टी.फोन आपरेटर का पद के मांगना २३।

महोदय जी,

मैंने मैं निवेदन है कि मुझे ३६ के माथे लिखा पद रखा है कि दिनांक ६-८-६३ को मुझे उलाटी में नियुक्त किया गया था जिसका सीरियल नम्बर २३२६००० था तथा जिसका वेतन रकम ७०-८५ था। फिर दिनांक १३-१-६४ को रिट देवा करती हूँ मेरे हस्त में एक पत्रिका बुर्खा घटी जिसमें मेरा एक बाया हाथ कट गया जिसके कारण मुझे हाथ कार्य करने के लिए असमर्थ बपराही बना दिया। इसके बाद टेलीफोन आपरेटरों का पद प्राप्त हुआ जिसमें मेरा नाम नेल के सीरिल नं० ३ में आया था जिसका वेतन रकम ११०-१५० था टेलीफोन आपरेटर पद पर मैंने दिनांक २८-३-७४ से फुल साराय में कार्य करना आरम्भ किया फिर मुझे दिनांक २-२-७७ को सीनियर आपरेटर के पद के लिए फुल साराय में ही नियुक्त किया गया जिसका वेतनमान रकम ३३०-५६० था जिसका पत्र संख्या ३ ५५१-डीई-६१२ रिज्यू था।

दिनांक ३१-८-७८ में मुझे ६६ टेलीफोन आपरेटर के लिए पदोन्नत किया गया जिसका वेतन रकम ४२५-७०० है। वर्ष १९७४ में एक फायर रेल कार्य ठप्प आन्दोलन किया जिसमें मैंने अपने आफिसर के आशानुसार जान की परवाह न करते हुए रकम की सेवा की जिस पर मेरे आफिसर (डी०एस०) ने मुझे रकम १०० के पुरस्कार से सम्मानित किया।

मैं एक अनुसूचित जाति का कर्मचारी हूँ और मेरा उलाटी नियुक्ति की तारीख ६-८-६३ है जिसका दिनांक पीछे सिलान है जबकि ११वें साल की नियुक्ति की तारीख २-९-६३ है तथा मुन्नासाल पी मुफसे बहुत बनियर है इस प्रकार मैं सभी अवस्थाओं में ही निम्न की

मत: श्रीमान जी से निवेदन है कि मुझे सी०टी०बी० (५५०-७५०) का पद प्राप्त करने के लिए आर्ज पुरान कर इसका परीक्षा में मैं मुझे हा। आपकी महान कृपा होगी। आपका प्रार्थी,

श्री कुरीन

(ठाका दीन)
६६ टेलीफोन आपरेटर,
उत्तर रेल्वे, फुल साराय।

दिनांक : १०-१०-८३



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(14)

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD
(LUCKNOW BENCH) LUCKNOW

8/10

In Re:

Writ Petition No. of 1984

Thakur Din Petitioner

versus

Union of India and others Opp. Parties

ANNEXURE-III

NORTHERN RAILWAY
DIVISIONAL OFFICE
HAZRATGANJ
LUCKNOW

NOTICE

The following Telephone Operators have been placed on panel for the post of Chief Telephone Operator Grade 550-750 (Rs) in order to seniority:

1. Shri R.C. Lal
2. Shri Radhey Lal (SC)
3. Smt. Asian Horo (ST)

The remention of their names on the panel subject to satisfactory working during the currency of the panel.

sd/-
for Divisional Personnel
Officer.

Thakur Deen



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- 2 -

Letter No. 561 E/6-2/Telephone Opts. dt. 1 July 1984

Copy forwarded for the information to:

1. ~~Sri~~ Senior D.S.T.E., Lucknow
2. C.T.I., Lucknow.

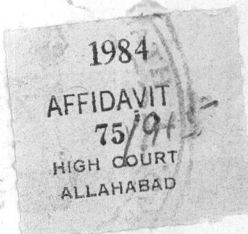


Shakur Deen

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(16)

IN THE HON'BLE HIGH COURT OF JUDICATURE AT ALLAHABAD
(LUCKNOW BENCH) LUCKNOW



In Re:

Writ Petition No. of 1984

Thakur Din Petitioner

versus

Union of India.. Opp. Parties

AFFIDAVIT

I, Thakur din, aged about 44 years son of late Shri Jhingur, resident of c/o Sri Raj Bahadur, Quarter No. T-45/A, Fateh Ali Talab, Northern Railway, Charbagh, Lucknow do hereby solemnly state on oath as under:-

1. That the deponent is the petitioner in the above writ petition. He is fully conversant with the facts of the case hence in a position to file this affidavit.

That the contents of paras 1 to 19 ✓
of this writ petition are true to my knowledge,
the contents of paras 20 to 24 ✓
are true to my belief on the basis of records,



..../-

Thakur Din

and those of paras 20 & 21 ✓
are true to my belief on the basis of legal advice
received by me.

Lucknow

Dated: 22.8.84 ✓

Thakurdeen
Deponent

VERIFICATION

I, the above named deponent do hereby verify
that the contents of paras 1 and 2 of the affidavit
are true to my own knowledge. No ~~part~~ part of it is
false and nothing material has been concealed. So
help me GOD.

Lucknow

Dated: 22.8.84 ✓

Thakurdeen
Deponent

I identify the deponent named
above who has signed before me.

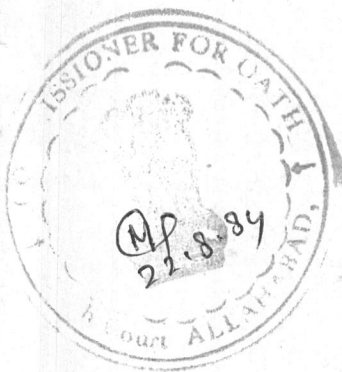
Surya Kant
Advocate.

Solemnly affirmed before me on 22.8.84
at 11.35 ~~A.M.~~ P.M. by the Thakur Din
deponent who has been identified
by Surya Kant Advocate High Court Allahabad LK Bench
LKo.

I have satisfied myself by examining
the deponent that he understands the
contents of this affidavit which has
been read out and explained by me.

Meena Pandey
OATH COMMISSIONER
High Court, (Lucknow Bench)
LUCKNOW
No. 75/915
Date 22.8.84

Thakurdeen



The humble petitioner submits that for the facts and reasons stated in the accompanying writ petition, duly supported by the Affidavit, it is, therefore, prayed that appointing the Opposite Parties No. 4 and 5 on the basis of the penal contained in Annexure-III of the Chief Telephone Operator may be stayed till the disposal of this writ petition and an add-interim order to this effect may kindly be granted meanwhile.

Lucknow

Dated: 22-8-84

Counsel for the Petitioner

(A. N. Privedi)
(Surya Kant)
Advocate

Thakurdeen

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(4)

CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH LUCKNOW

T.A. NO.1521 of 1987 (T)
(W.P. NO. 4231 of 1984)

Thakur Din

Applicant.

Versus

Union of India &(N.R.)

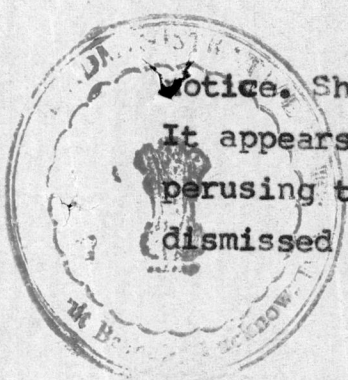
Respondents.

20.03.1990.

Hon. Mr. D.K. Agrawal, J.M.

Hon. Mr. K. Obayya, A.M.

The petitioner doesnot appear, despite of notice. Shri S. Verma, for the repondents is present. It appears that the applicant has lost interest in perusing the matter. Therefore the writ petition is dismissed without any order as to costs.



checked
OSW
22/3/90

Sd/-
A.M.

Sd/-
J.M.

// True Copy //

Ms/

[Signature]
Deputy Registrar
Central Administrative Tribunal
Lucknow Bench,
Lucknow

High Court. Kolar

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अदालत श्रीमान

महोदय

वादी (मुद्दे)
प्रतिवादी (मुद्देअलेह)

का

वकालतनामा



Thakur Din

वादी (मुद्दे)

1951

बनाम

प्रतिवादी (मुद्देअलेह)

नं० मुकद्दमा सन् १६ पेशी की ता० १६ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री

Singh Kant Adh

एडवोकेट

महोदय

10 Shree D & A. N. Prinedi Adh

वकील

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूँ इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाबदेही व प्रश्नोत्तर करें या अन्य कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या सुलहनामा या इकबाल दावा तथा अपोल व निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकद्दमा उठावें या कोई रुपया जमा करें या हमारी या विपक्ष (फरीवसानी) का दाखिल किया रुपया अपने या हमारे हस्ताक्षर-युक्त (दस्तखती) रसीद से लेवें या पंच नियुक्त करें - वकील महोदय द्वारा की गई वह कार्यावाही हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार करता हूँ कि मैं हर पेशी स्वयं या किसी अपने पैरोकार को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरी वकील पर न होगी। इसलिए यह वकालतनामा लिख दिया कि प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर Thakur Din

साक्षी (गवाह) साक्षी (गवाह)

दिनांक महीना

नाम अदालत

नं० मुकद्दमा

नाम फरीकैन

Sealed
in presence
of

Archiever
Dr

4/25



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In the Hon'ble High Court of Judicature at Allahabad
व अदालत श्रीमत्.
(Circuit Bench) Lucknow

U

Shri Shakur Das

बन्तम

वादी/अपीलेंट/ Petitioner

प्रतिवादी/रेस्पॉण्डेंट/

Opp. Parties

129

Union of India & others

W.P.No. 4231 of 1984

सं० मुकदमा सं० 19 पेची की तारीख 19 ई०
ऊपर मुकदमा में अपनी ओर से श्री Siddharth Verma, Advocate.

.....
एडवोकेट/वकील महोदय को अपना वकील नियुक्त करके इकरार करता हूँ और लिखे देता हूँ कि मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाब देही व प्रश्नोत्तर करे या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिग्री जारी करावें और रुपया वसूल करें या सुलहनामा या इकवात दावा तथा अपील व निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक रक या मुकदमा उठावें या कोई रुपया जमा करें या हमारी विपक्षी फरीकसानी का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर मुक्त दस्तखती रसीद से लेवे का पत्र नियुक्त करें वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी इसलिये यह वकालतनामा लिख दिया कि प्रमाण रहे और समय पर काम आवे ।।

हस्ताक्षर. Union of India 12-84
Divisional Railway Manager,
Northern Railway,
LUCKNOW

साक्षी/गवाह साक्षी/गवाह
दिनांक महीना
सं० 19 ई०

SR
22-10-84

ACCEPTED

Shering
(SIDDHARTH VERMA)
ADVOCATE

Provisional Personnel Officer
Northern Railway, Lucknow 3/12